



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

PETER MICHAEL MURPHY, ET AL.

CASE NO.: CH2751 US NA

APPLICATION NO.: 09/669,477

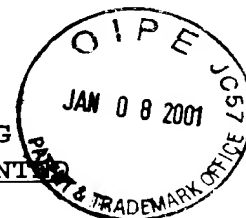
GROUP ART UNIT: 1771

FILED: 09/25/2000

EXAMINER:

FOR: LIQUID IMPERMEABLE BARRIER

**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION-FILING DATE GRANTED**



Assistant Commissioner for Patents  
Washington, DC 20231

Attention: Box Missing Parts

Sir:

In response to the Notice to File Missing Parts of Application mailed November 6, 2000 (a copy of which is attached), enclosed is a Declaration for the above-referenced application. Please charge the \$130.00 surcharge fee applicable for filing the Declaration on a date later than the filing date to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company). If the fee is insufficient or incorrect, please charge or credit the balance to the above-identified account. Also, please note that authorization (copy of Fee Transmittal enclosed) was given on September 25, 2000 to charge the said Deposit Account for the additional claims fee of \$260. A fax concerning this payment was sent to Janice Burse (who confirmed payment of said fee) on 12/1/2000.

Respectfully submitted,

NANCY S. MAYER  
ATTORNEY FOR APPLICANTS  
REGISTRATION NO. 29,190  
TELEPHONE: 302-892-0680  
FACSIMILE: 302-892-0699

Dated: 03 January 2001

Please type a plus sign (+) inside this box →

+

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

CH2751

First Named Inventor or Application Identifier

PETER MICHAEL MURPHY et al.

Express Mail Label No.

EK2194702253US

Express Mailing Date

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee (Authority to charge deposit account below.)  
(Submit an original, and a duplicate for fee processing)

2. ☒ Specification [Total Pages (preferred arrangement set forth below)

- Descriptive title of the invention
- Cross References to Related Applications (if needed)
- Statement Regarding Fed sponsored R & D (if needed)
- Reference to Microfiche Appendix (if filed)
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

3. ☐ Drawing(s) (35 USC 113) [Total Sheets

4. ☐ Oath or Declaration [Total Pages

- a. ☐ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 14 completed)

**DELETION OF INVENTORS**

i. ☐ Signed Statement below at 15 deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

5. ☐ Incorporation by Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)

7. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

- a. ☐ Computer Readable Copy
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

8. ☐ Power of Attorney

9. ☐ Information Disclosure Statement (IDS)/Cover Letter plus PTO-1449

☐ Copies of IDS Citations

10. ☐ Preliminary Amendment

11. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)  
12. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

13. ☐ Other:

EK2194702253US

14. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior Application No.: \_\_\_\_/\_\_\_\_

15. ☐ **DELETION OF INVENTOR(S) STATEMENT:** This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.63(d)(2) and 1.33(b), the Assistant Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:

16. ☐ Amend the specification by inserting before the first line the sentence:

- This is a ☐ continuation-in-part, ☐ continuation, ☐ division of Application No. \_\_\_\_\_ filed \_\_\_\_\_, now abandoned. -

17. ☐ Cancel in this application original claims \_\_\_\_ of the prior application before calculating the filing. (At least one original independent claim must be retained for filing purposes.)

18. ☐ Priority of foreign Application No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_

\_\_\_\_\_ is claimed under 35 U.S.C. 119.  
(country)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	<b>TOTAL CLAIMS</b> (37 CFR 1.16(c))	23 - 20 =	3	x \$ 18 =	\$ 54.00
	<b>INDEPENDENT CLAIMS</b> (37 CFR 1.16(b))	4 - 3 =	1	x \$ 78 =	\$ 78.00
	<b>MULTIPLE DEPENDENT CLAIM(S) (if applicable)</b>			+ \$ 260 =	260.00
				<b>BASIC FEE</b> (37 CFR 1.16(a))	+ \$ 690.00
				<b>TOTAL =</b>	<b>\$ 1082.00</b>

19. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 04-1928:

a. ☒ Fees required under 37 CFR 1.16.

b. ☒ Fees required under 37 CFR 1.17.

20. ☐ Other:

#### 21. CORRESPONDENCE ADDRESS

NAME	Nancy S. Mayer				
ADDRESS	E. I. du Pont de Nemours and Company				
	Legal - Patents				
	1007 Market Street				
CITY	Wilmington	STATE	Delaware	ZIP CODE	19898
COUNTRY	U.S.A.	TELEPHONE	302-892-0680	FAX	302-892-0699

#### 22. SIGNATURE OF ATTORNEY OR AGENT REQUIRED

NAME	Nancy S., Mayer	REG. NO.: 29,190
SIGNATURE	<i>Nancy S. Mayer</i>	
DATE	9-27-00	



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (09-00)  
Approved for use through 10/31/2002. OMB 0651-0032  
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number 09/669,477  
Filing Date 09/25/2000  
First Named Inventor Peter Michael Murphy  
Examiner Name  
Group / Art Unit 1771  
Attorney Docket No CH2751 US NA

TOTAL AMOUNT OF PAYMENT (\$) 130

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

04-1928

Deposit  
Account  
Name

E. I. du Pont de Nemours and Company

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$) 0

### 2. EXTRA CLAIM FEES

			Extra Claims		Fee from below		Fee Paid
Total Claims		-20**	=	0	X		= 0
Independent Claims		-3**	=	0	X		= 0
Multiple Dependent					X		= 0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

\* Multiple claim chge.  
was authorized  
when appln. filed 9/27/2000  
See attached

SUBTOTAL (2)

(\$) 0

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$) 130

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

Nancy S. Mayer

Registration No. Attorney/Agent)

29,190

Telephone

302/892-0680

Signature

Date

November , 2000

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attn: Box Missing Parts

on January 3, 2001  
Date



Eileen B. Doherty  
Signature

EILEEN B. DOHERTY  
Type or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

09/669,477  
CH2751 US NA  
Declaration for Utility or Design Patent Application  
Power of Attorney  
Notice to File Missing Parts  
Response to Notice to File Missing Parts





## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/669,477	09/25/2000	Peter Michael Murphy	CH2751

Nancy S Mayer  
E I du Pont de Nemours and Company  
Legal Patents  
1007 Market Street  
Wilmington, DE 19898



## FORMALITIES LETTER



\*OC000000005534014\*

Date Mailed: 11/06/2000



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

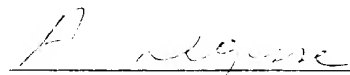
FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- Total additional claim fee(s) for this application is \$260.
  - \$260 for multiple dependent claim surcharge.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 390.

*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY